

# TITLE VI PROGRAM UPDATE

IN COMPLIANCE WITH FTA CIRCULAR 4703.1B



# Plymouth Metrolink

March 2023

# **TITLE VI COMPLIANCE AND IMPLEMENTATION PLAN**

## **Adopted by the Plymouth City Council on: March 14, 2023**

Jeffry Wosje, Mayor

Alise McGregor, Council Member, Ward 1

Julie Peterson, Council Member, Ward 2

Jim Davis, Council Member, Ward 3

Julie Pointner, Council Member, Ward 4

Clark Gregor, Council Member, At Large

Jim Willis, Council Member, At Large

## **Reviewed by:**

Dave Callister, City Manager

Michael Thompson, Public Works Director

Chris LaBounty, Deputy Public Works Director/Metrolink CEO

Soren Mattick, City Attorney

## **Prepared by:**

Nur Kasin, Transit Administrator

## INTRODUCTION

The purpose of this document is submittal of the City of Plymouth's Title VI Plan and Limited English Proficiency Plan to the Metropolitan Council in compliance with the Title VI Civil Rights Act of 1964<sup>1</sup> and accompanying federal laws. The Metropolitan Council is the primary recipient of federal transit funds for the region, which are distributed to regional transit providers, including Plymouth Metrolink, and the City of Plymouth's transit service. Recipients of federal funds are required to publish or advertise that the program is an equal opportunity program and indicate that federal law prohibits discrimination.<sup>2</sup>

Title VI Compliance and Implementation Plan, guarantees rights of all, regardless of race, color, national origin.

The City of Plymouth's objective is to provide service and assistance to everyone in a fair, competent and effective manner to ensure each person's services are equally safe, reliable, convenient, and accessible.

## PLAN CONTENTS

The City of Plymouth, as a sub recipient of Federal Transit Administration funds, is required to submit to the Metropolitan Council a Title VI program that includes the following items:<sup>3</sup>

- Title VI Public Notice of Rights, Dissemination and Translation.
- Title VI Complaint Procedure for filing and investigating a complaint.
- Title VI Complaint Form.
- List of allegations of discrimination based on Title VI including complaints, investigations and lawsuits.
- Limited English Proficiency Plan.
- Public Participation Plan including proactive strategies, procedures and desired outcome.
- A table depicting racial composition of advisory councils non-elected membership.
- A narrative or description for ensuring any sub recipients comply with Title VI Copies of any Title VI facility siting equity analyses.
- City Council Resolution for the approval of the Title VI Program.
- Information on system wide service standards and policies.

<sup>1</sup> Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d; Federal Transit Administration (FTA) Circular 4702.1.B, October 1, 2012

<sup>2</sup> Ibid. <sup>3</sup> Quick Reference (FTA) Title VI Circular 4702.1B, October 3, 2012.

## TITLE VI PROGRAM OVERVIEW

This Title VI Plan was developed to guide the City of Plymouth in administration and management of Title VI related activities.

### Plymouth's Responsibilities as a Sub-Recipient

#### Title VI Program Review, Acceptance, and Self Certification

A sub-recipient of funding from the Federal Transit Administration, the City of Plymouth must comply with Title VI of the Civil Rights Act of 1964. Plymouth Metrolink must demonstrate its compliance with Title VI by submitting its Title VI Program to the Metropolitan Council for review and acceptance triennially.

#### Appoint and Identify the Title VI Coordinator or Civil Rights Staff

- This person or unit has primary responsibility for developing the local government Title VI implementation plan, answering questions on compliance efforts, and investigating complaints.

#### Minority Representation on Transit Planning Boards and Commissions

- What is the racial makeup of planning and advisory boards?
- How are people notified of the existence of advisory and planning bodies?
- Are citizens provided an equal opportunity to participate as members?
- What is the process for selection of committee or commission members?

#### Public Notification

- Is a citizen participation plan in place to inform citizens of new and existing program initiatives?
- Are there mechanisms to disseminate information to minority media and minority organizations?
- Are posters and brochures displayed and printed in the languages spoken by those affected by projects and programs?
- Reasonable efforts must be initiated to meet the needs of individuals who are Limited English Proficient (LEP). Generally, if 5% or more of the individuals affected by a project or program speak a language other than English, the printing of documents in the language spoken should be considered.
- How are individuals informed of their rights to file complaints?

#### Complaint Procedure

- Develop a Title VI or discrimination complaint procedure.
- Ensure that employees and the public are aware of complaint procedure.
- Information regarding the complaint procedure should be readily available when requested.

## Consider Program Delivery Issues

- Consider whether a project is performed in an equitable manner (project decisions must be nondiscriminatory).
- The location, eligibility requirements, hours of service, and the methodology of service delivery should not have an adverse effect on minority applicants/beneficiaries based on race, color, or national origin.
- Determine whether the level of service provided is the same for minority and non- minority beneficiaries.
- Does the entity employ staff in beneficiary contact positions without regard to race, color, or national origin?
- Consider whether or not staff members are aware of their responsibility to provide services without racial/ethnic discrimination.
- If discrimination is discovered, follow established procedures to ensure compliance.

## YOUR RIGHTS UNDER TITTLE VI

Rights are guaranteed under Title VI of the 1964 Civil Rights Act and related statutes which state in part:

That no person in the United States shall, on the grounds of race, color, national origin, sex, age, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, receiving federal financial assistance.<sup>4</sup>

This mandate requires recipients of federal funds to take affirmative steps to ensure that discrimination, as addressed by Title VI, does not occur in its organization or by its sub-recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest and other participants.<sup>5</sup> The City of Plymouth is committed to ensuring that no person is excluded from participation in, or denied the benefits of transit services on the basis of race, color, or national origin, as protected by Title VI.<sup>6</sup>

In addition, the City of Plymouth supports the requirement that “each federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.”<sup>7</sup>

<sup>4</sup> Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d; Federal Transit Administration (FTA) Circular 4702.1.B, October 1, 2012.

<sup>5</sup> Ibid. <sup>6</sup> Ibid. <sup>7</sup> Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low- Income Populations, 1994. U.S. Department of Transportation FTA Policy Guidance, January 22, 2001.

## Contact Information for the Title VI Manager:

Nur Kasin / Transit Administrator

Plymouth / Plymouth Metrolink

Plymouth City Hall, 3400 Plymouth Boulevard, Plymouth, MN 55447-1482

Phone: 763-509-5052      Fax: 763-509-5510      TDD: 763-509-5065

Email: [nkasin@plymouthmn.gov](mailto:nkasin@plymouthmn.gov)

## THE CITY'S COMMITMENT TO FAIRNESS PLEDGE

The City of Plymouth, also known as Plymouth Metrolink, pledges that you will have access to all services and benefits without regard to race, color, and national origin. The City of Plymouth will not tolerate discrimination by its employees or entities it contracts with for products and services. Certain rights are guaranteed to you under Title VI of the Civil Rights Act of 1964, which says in part: No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

If you believe that you have been discriminated against in relationship to the City of Plymouth, Plymouth Metrolink, or First Transit because of your race, color or national origin, go online to visit [plymouthmn.gov/CommitmentToFairness](http://plymouthmn.gov/CommitmentToFairness) to file a complaint, or contact:

Jodi Gallup / Plymouth City Clerk

Plymouth

Plymouth City Hall, 3400 Plymouth Boulevard, Plymouth, MN 55447-1482

Phone: 763-509-5000      Fax: 763-509-5510      TDD 763-509-5065

Email: [cityclerk@plymouthmn.gov](mailto:cityclerk@plymouthmn.gov)

For questions or to request translation of this document, contact customer service at [transit@plymouthmn.gov](mailto:transit@plymouthmn.gov) or 763-509-5535.

# GENERAL REQUIREMENTS

## Dissemination of TITLE IV Policy Information

Recipients of federal financial assistance are required to publish or advertise that the program is an equal opportunity program and/or indicate that federal law prohibits discrimination.

### The Public

The City of Plymouth Title VI information posters are prominently and publicly displayed in Plymouth Metrolink facilities, on Plymouth Metrolink revenue vehicles, on Plymouth Metrolink bus schedules, and as well as the city of Plymouth's web site at [plymouthmn.gov/commitmenttofairness](http://plymouthmn.gov/commitmenttofairness).

### Title VI Program 2023 Update

Plymouth Metrolink Title VI Program is available at:  
[plymouthmn.gov/commitmenttofairness/titleVI2023Update](http://plymouthmn.gov/commitmenttofairness/titleVI2023Update)

Posters, schedules and electronic information provide the public with information regarding the city's Title VI program and the federal guaranteed rights. See Exhibit 7 for copy of Title VI informational poster. The City of Plymouth Title VI contact information and the complaint form are posted on the city's web site, at [plymouthmn.gov/commitmenttofairness](http://plymouthmn.gov/commitmenttofairness).

### Staff

All city transit employees receive information regarding the Title VI Program, a copy of the full Title VI Program, the LEP Plan and the Acknowledgement of Receipt (Appendix C: Acknowledgement of Receipt of Title VI and Limited English Proficiency Plans).

During orientation, new transit employees will receive a copy of the Commitment to Fairness, be informed of the provisions of Title VI, including the city's expectations of all employees to uphold the Commitment to Fairness and the Title VI Program. New employees will receive a copy of the Title VI Program and will be required to sign the Acknowledgement of Receipt (Appendix C: Acknowledgement of Receipt of Title VI and Limited English Proficiency Plans). Title VI information shall be disseminated to all city staff via the city's intranet site.

This will remind staff of the city's Title VI policy statement and the responsibilities employees have as city representatives during their daily duties.

## Transit Related TITLE VI Investigations, Complaints, and Lawsuits

The City of Plymouth will maintain permanent records, which include, but are not limited to, signed acknowledgements of receipt, copies of Title VI complaints and related documentation, records of correspondence to and from complainants, and the Procedures for Complaints of Discrimination under Title VI are intended to provide aggrieved persons a way to raise complaints of discrimination regarding the City of Plymouth's programs, activities and services as required by statute.

Intimidation or retaliation of any kind is prohibited by law.<sup>8</sup> these complaint procedures apply to all complaints filed under Title VI, relating to any program or activity administered by the city or its sub-recipients, consultants, and contractors and includes all Title VI complaints of discrimination against city employees, contractors, and vendors.<sup>9</sup> The purpose of the discrimination complaint procedures is to describe the process used by the City of Plymouth for processing complaints of discrimination under Title VI<sup>10</sup> these procedures still allow the complainant to file complaints with other government agencies, and to seek private counsel for complaints alleging discrimination. The City of Plymouth's administrative process does not accommodate remedies such as punitive damages or compensation.

Note that no transit related TITLE VI complaints have been filed to date.

### Administrative Process

The City of Plymouth shall make every effort to address all complaints in a prompt and thorough manner. Every effort will be made to conclude each Title VI complaint within sixty (60) business days of receipt of the written complaint. The city's representatives will make every effort to resolve the complaint.

All complaints alleging discrimination based on the terms of race, color or national origin in a service or benefit provided by the City of Plymouth will be directly addressed by the City of Plymouth. The term refers to the complainant's protected group status.

During initial interviews, the city may request information regarding specific relief and settlement opportunities. Mediation meetings with the parties are encouraged and may be utilized at any stage of the process to achieve resolution. Except for the final determination, which shall be determined to be substantiated, not substantiated, inconclusive, dismissed, withdrawn, or closed, the complaint, subsequent investigation, and all documentation relating to the complaint, is not public information and will be considered confidential by the city.

All Title VI and related statute complaints are considered formal as there is no informal process.<sup>11</sup>

<sup>8</sup> Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d; Federal Transit Administration (FTA) Circular 4702.1.B, October 1, 2012. <sup>9</sup> *Ibid.*

<sup>10</sup> *Ibid.*

<sup>11</sup> Metropolitan Council, Title VI Compliance and Implementation Plan, 2022, p.



## How to File Title VI Complaint

### 1. Who May File a Complaint?

Any individual, group of individuals, or entity that believes they have been, Discriminated against by a city employee, city contractor or city vendor, because of the complainant's race, color or national origin, may file a written complaint with the City Clerk.

### 2. Discrimination Complaint Forms (Appendix D)

The City of Plymouth Discrimination Complaint Form is available at Plymouth City Hall and on the city's web site at [plymouthmn.gov/commitmenttofairness](http://plymouthmn.gov/commitmenttofairness) or by contacting:

Jodi Gallup / Plymouth City Clerk

Plymouth

Plymouth City Hall, 3400 Plymouth Boulevard, Plymouth, MN 55447-1482

Phone: 763-509-5000 Fax: 763-509-5510 TDD 763-509-5065

Email: [cityclerk@plymouthmn.gov](mailto:cityclerk@plymouthmn.gov)

### 3. Submit Complaint to City Within 180 days of Alleged Discrimination

Complainants alleging discrimination against the City of Plymouth (Plymouth Metrolink), its employees, or its contractors because of race, color or national origin, must file a signed, written complaint with the City Clerk at the Plymouth City Hall within 180 days from the date of the alleged discrimination, or from the date when the alleged discrimination became known to the complainant.

### 4. Assistance Will Be Provided

The City of Plymouth shall provide appropriate assistance to complainants, including those persons with disabilities, and those who are limited in their ability to communicate in English. Persons requesting an American Sign Language (ASL) or foreign language interpreter, or other reasonable accommodation, may contact the City Clerk, Jodi Gallup, at 763-509-5080, TDD: 763-509-5065, or [jgallup@plymouthmn.gov](mailto:jgallup@plymouthmn.gov). Language Line is a translation phone service that may be utilized as well. To date, there have not been any requests for a translated complaint form.

### 5. Required Elements of a Complaint

#### Written

All complaints must be submitted to the City Clerk on paper (hard copy) to be processed. The complainant is required to submit a signed, original copy of the complaint. Allegations received verbally (by telephone or in person) or electronically (by fax or by e-mail) must be submitted as signed, written complaints before the complaint will be processed.

#### Signed

The complainant(s) must complete and sign the complaint form.

## State the Date of Occurrence

The complaint must state the date of the alleged act of discrimination, or the date when the complainant(s) became aware of the alleged discrimination, or the date on which that conduct was discontinued (the latest instance of the conduct).

## Description

Present a detailed description of the occurrence and issues, including names and job titles of those individuals perceived as parties in the incident being described. The description must include the basis for the complaint as it relates to Title VI regarding race, color or national origin.<sup>12</sup>

The allegation must involve a program or activity of a recipient of federal aid, a sub-recipient, or a contractor.

## Submit To the City Clerk

Jodi Gallup / Plymouth City Clerk

Plymouth

Plymouth City Hall, 3400 Plymouth Boulevard, Plymouth, MN 55447-1482

Phone: 763-509-5000 Fax: 763-509-5510 TDD 763-509-5065

Email: [cityclerk@plymouthmn.gov](mailto:cityclerk@plymouthmn.gov)

It is the responsibility of the complainant to certify all mail sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked and reaches its destination in a timely manner.

## Process

### 1. Acknowledge Complaint

The City Clerk will send the complainant a written acknowledgement within seven (7) Calendar days of receiving the written complaint (meeting the requirements listed). The city will send a similar written notification that it received the complaint to the entity or entities alleged to have committed the violation. The entity or entities will have ten (10) calendar days from the date of receiving the written notification to respond in writing to the city.

In addition to the city's complaint process, the city may notify the complainant that he or she may file a Title VI complaint with the following offices:

<sup>12</sup> Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d; Federal Transit Administration (FTA) Circular 4702.1.B, October 1, 2012.

Metropolitan Council  
Office of Equal Opportunity – Title VI  
560 6th Ave. N  
Minneapolis, MN 55114  
Phone: 651-602-1000  
Email: [titlevicomplaints@metc.state.mn.us](mailto:titlevicomplaints@metc.state.mn.us)

Federal Transit Administration  
Office of Civil Rights  
Attention: Title VI Program Coordinator  
East Building, 5th Floor – TCR  
1200 New Jersey Ave. SE  
Washington, D.C. 20590

## 2. Jurisdiction and Initial Investigation

Upon receipt of the complaint, staff will determine its jurisdiction, acceptability, and need for additional information, as well as investigate the merit of the complaint. In cases where the complaint is against a contractor of the City of Plymouth, the City of Plymouth will assume jurisdiction and will investigate the case. Complaints against other agencies may be referred to those agencies, the Metropolitan Council, or the appropriate federal agency for proper disposition pursuant to their procedures.

The city will send a written notification that it received the complaint to the entity alleged to have discriminated as listed in the complaint. The entity or entities will have ten (10) calendar days from the date of receipt of the written notification to supply a written response to the allegations.

## 3. Request for Additional Information

Upon request by the city or any other investigating agency, the complainant must provide a written response with the information requested within ten (10) calendar days of the request. A complainant's failure to provide the requested information may result in the administrative closure of the complaint.

## 4. Dismissed and Withdrawn Complaints

The city may dismiss or close a complaint for one of the following reasons:

- The complainant may request the withdrawal of the complaint.
  - The complainant fails to respond, or does not respond in a timely manner, to requests for additional information needed to process or investigate the complaint.
  - The complainant cannot be located after reasonable attempts to contact the complainant.

## 5. Investigation

All complaints will be thoroughly investigated. The investigation will be conducted in a full, fair, and impartial manner by the Transit Administrator (Title VI Manager), other city representatives, or the Metropolitan Council's Office of Equal Opportunity.

Information. Upon request by investigating agency, the complainant must provide additional information in writing, or an appropriate response to the request in writing, within ten (10) calendar days of the request. A complainant's failure to provide the requested information may result in the administrative closure of the complaint.

## 6. Final Determination

Complaints will be determined or deemed to be substantiated, not substantiated, inconclusive, withdrawn, dismissed, or closed. Results of the investigation will be presented to the City Manager or designee for a determination. Every effort will be made to respond to Title VI complaints within sixty (60) business days of receipt of such complaints.

## 7. Post-Investigation

The city will notify the parties of its final determination. The city's final investigative report and a copy of the complaint will be forwarded to the Metropolitan Council and the affected parties within sixty (60) business days of the acceptance of the complaint.

Following the investigation, the city will send a final written letter to the complainant(s) identifying the final determination of the complaint. In a letter notifying complainant that the complaint is not substantiated, the complainant will be advised of his or her right to:

- Appeal within seven (7) calendar days of receipt of the final letter of determination; and/or
- File a complaint externally with the Metropolitan Council's Office of Diversity and Equal Opportunity, the U.S. Department of Transportation and/or the Federal Transit Administration Office of Civil Rights.

If the complainant is not satisfied with the results of the investigation or the determination regarding the alleged discrimination and practices, the complainant will be advised of the right to appeal to the Metropolitan Council or the appropriate federal agency.

Metropolitan Council  
Office of Equal Opportunity – Title VI  
560 6th Ave N.  
Minneapolis, MN 55114  
Phone: 651-602-1000  
[titlevicomplaints@metc.state.mn.us](mailto:titlevicomplaints@metc.state.mn.us)

Federal Transit Administration  
Office of Civil Rights  
Attention: Title VI Program Coordinator  
East Building, 5th Floor – TCR  
1200 New Jersey Ave. SE  
Washington, D.C. 20590

## DEMOGRAPHICS OF NON-ELECTED COMMITTEES AND COUNCILS

### Plymouth Executive Staff Chart

Department	Title	Name	Gender	Race
City Manager	City Manager	Dave Callister	M	W
Administrative Services	Deputy City Manager	Maria Solano	F	H
Community and Economic Development	Community and Economic Development Director	Grant Fernelius	M	W
Finance	Finance Director	Andrea Rich	F	W
Human Resources	Human Resources Director	Ali Timpone	F	W
Park and Recreation	Park and Recreation Director	Jennifer Tomlinson	F	W
Public Safety	Public Safety Director/Police Chief	Erik Fadden	M	W
Public Safety	Deputy Public Safety Director/Fire Chief	Rodger Coppa	M	W
Public Works	Public Works Director	Michael Thompson	M	W

## FACILITY SITING EQUITY ANALYSIS

The City of Plymouth did not build transit facility for the last three (3) years and does not own or operate a Transit Operations/Maintenance Facility, and therefore is not required to complete a Title VI Facility Siting Analysis.

# **APPROVAL OF TITLE VI PROGRAM**

Exhibit 8: City Council approval of the 2023 Title VI Program.

## **CITY OF PLYMOUTH**

### **RESOLUTION No. 2023-075**

#### **RESOLUTION APPROVING UPDATES TO TITLE VI PROGRAM AND LANGUAGE ASSISTANCE PLAN FOR PLYMOUTH METROLINK**

WHEREAS, Plymouth Metrolink is a public transit agency operated by the City of Plymouth; and

WHEREAS, funding is received from the Metropolitan Council to operate the service; and

WHEREAS, as part of the funding requirement, the city must have an approved Title VI Program and Language Assistance Plan for Plymouth Metrolink to comply with the Title VI Civil Rights Act of 1964 and all associated federal laws and requirements.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA that the updated Title VI Program and Language Assistance Plan for Plymouth Metrolink are approved.

APPROVED by the City Council on this 14th day of March, 2023.

## LANGUAGE ASSISTANCE PLAN SUMMARY

For more information about Plymouth's Limited English assistance plane see attached Limited English Proficiency (LEP) person is one who does not speak English as their primary language, and who has a limited ability to read, speak, write, or understand English.<sup>13</sup>

Recent immigrants to the United States, including those persons who speak English, use public transportation at higher rates than those who were born in the U.S.<sup>14</sup> However, an immigrant's use of public transit tends to decrease with their length of residence in the United States.<sup>15</sup>

Many immigrants switch from transit to personal vehicles because they view a personal vehicle as a symbol of assimilation, and because a personal vehicle provides greater mobility or access to economic and social opportunities beyond a transit system's service area.<sup>16</sup> Recent immigrants elect to continue using transit if their experience with public transportation is positive.<sup>17</sup> For transit agencies seeking to increase the number of "choice riders," it may be easier to retain riders who have had positive impressions of the system, than to attract people who have never used, or rarely used public transit.

Agencies that provide language assistance to LEP persons in a competent and effective manner will help ensure that their services are safe, reliable, convenient, and accessible to those persons. These efforts may attract riders who would otherwise be excluded from participating in the service because of language barriers and should encourage riders to continue using the system after they are proficient in English and/or have more transportation options.

Catering to LEP persons may also help increase and retain ridership among the agency's broader immigrant communities in two important ways: agencies that reach out to recent immigrant populations in order to conduct a needs assessment and prepare a language implementation plan (pursuant to the U.S. Department of Transportation LEP Guidance) send a positive message to these persons that they are valued; and community outreach designed to identify appropriate language assistance measures can also assist the agency in identifying the transportation needs of immigrant populations and ensuring that an agency's transit routes, hours and days of service, and other service parameters are responsive to the needs of these populations.<sup>18</sup>

<sup>13</sup> LEP Executive Order 13166, August, 2000.

<sup>14</sup> The U.S. Department of Transportation Federal Transit Administration Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers; April 13, 2008, p. 5.

<sup>15</sup> Ibid.

<sup>16</sup> Ibid.

<sup>17</sup> Ibid. Page 1

<sup>18</sup> The U.S. Department of Transportation Federal Transit Administration Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers; April 13, 2008, p. 5.

## Purpose

Language for Limited English Proficiency Persons (LEP) can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information. The City of Plymouth Transit Program has developed this Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to Plymouth Metrolink services including Commuter Express, Reverse Commuter Express, Local Fixed Route, Click-And-Ride shared ride, and other transportation services as required.<sup>19</sup>

## LEP Definition

A Limited English Proficiency (LEP) person is one who does not speak English as a primary language and who has a limited ability to read, speak, write, or understand English. For the purposes of this LEP plan, LEP persons are Plymouth Metrolink riders or potential riders, and the people who live and work with the riders and potential riders. This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff, how to notify LEP persons that assistance is available, and information for future plan updates. In developing the plan, the City of Plymouth Transit Program conducted the U.S. Department of Transportation four factor LEP analyses which considered the following:

- Number or proportion of LEP persons eligible in the Plymouth Metrolink service area likely to encounter a Plymouth Metrolink program, activity, or service;
- Frequency with which LEP individuals come in contact with Plymouth Metrolink services;
- Nature and importance of the Plymouth Metrolink program, activity or service provided to the LEP population; and
- Resources available to Plymouth Metrolink and overall cost to provide LEP assistance. A description of these considerations is provided in the Section V of this LEP Plan.

## PUBLIC PARTICIPATION PLAN

As local government, the City of Plymouth promotes inclusive public participation in all planning and decision making processes, as well as its marketing and outreach activities.

### Desired Outcomes

- Draw public attention to public transit.
- A clear understanding of all effects of any change in the system.
- Public participation in the planning and decision-making process.
- Public was given an opportunity to be heard.

<sup>19</sup> A Handbook for Public Transportation Providers; April 13, 2008, p. 5.41 Executive Order 13166, Limited English Proficiency (LEP), August, 2000.



- A final decision by City Council that includes all viewpoints.
- Participation plan strategies and examples.
- Public forums during City Council meetings.
- Hearings during City Council meetings.
- Open houses during the day and evening with City Council members and committee members present.
- Annual surveys of riders on all service.
- Monthly surveys of riders on new service
- Send letters and postcards to residents on routes or in areas of the city affected by changes or to invite them to use public transit.
- Meetings at convenient times and accessible locations such as centrally located public facilities.
- Meeting times are determined by what suits the given audience best.
- Utilizing different meeting sizes and formats.

## Recent Outreach Activities

The City of Plymouth conducts community outreach efforts to engage the public in planning and decision-making processes, as well as marketing and outreach activities. Each year Plymouth Metrolink staff attend city annual public outreach events. In 2022 Metrolink attended multiple City sponsored public outreach events, including one conveniently held on a Saturday morning at the Plymouth Community Center.

In order to ensure that we are serving all of our customers, Plymouth Metrolink is focusing on outreach to minorities, new immigrants, people of color and low income populations. Plymouth Metrolink works with Interfaith Outreach & Community Partners which is a social service agency in Plymouth that works on outreach of above said communities. We provide transit materials to this agency and make them aware that we are willing to provide translation of Metrolink materials if needed. We communicate with this agency on all Metrolink service changes and detours. Metrolink staff also visits and delivers transit information materials to the agency so can include information about Metrolink in their new client packets.

Plymouth Metrolink also uses the following methods or locations to outreach about service:

- Alternative advertising platforms
- City web site
- Sun Sailor (official city newspaper)
- Local cable television
- City Council meetings
- Mailed letters
- Rider Alerts posters in facilities and on buses
- Rider Alert emails
- Social media
- Interfaith Outreach Community Partners
- Adult education classes
- Senior citizen center

- Hennepin County Adult Corrections Facility
- School Districts
- Business community
- Chamber of Commerce
- Other transit agencies
- Other governments
- Developers
- Outreach meetings in public spaces

## **CONTRACTORS, SUBCONTRACTORS AND VENDORS**

All contractors, subcontractors and vendors who receive payments from the City of Plymouth Transit Enterprise Fund, in matters where funding originates from any federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended.<sup>15</sup> Written contracts shall contain non-discrimination language, either directly, or in the bid/proposal specification package, which becomes a part of the contract.

All maintenance and operation contracted employees shall receive a copy of the city’s Title VI policy statement and be informed of the provisions of Title VI, including the city’s expectations of all employees to uphold the Commitment to Fairness and the Title VI Program. The contractor’s employees will be required to sign an Acknowledgement of Receipt (Appendix C: Acknowledgement of Receipt of Title VI and Limited English Proficiency Plans).

## **PROCEDURAL GUIDELINES FOR PLYMOUTH TITLE VI TRANSIT PROGRAM EVALUATION**

### **Major Service Changes**

The City of Plymouth transit operations will routinely review the effects of major changes in the transit system’s structure, Click-And-Ride fares, transit services, transit facilities, and capital investments in regards to the Federal Transit Administration’s Title VI requirements, specifically to assure nondiscriminatory actions regarding the minorities in Plymouth. Major Service changes will be considered as being subject to analysis for Title VI compliance and reporting.

### **Major Capital Investment**

The City of Plymouth transit operations will routinely review the capital investment in the transit system facilities and fleet in regards to the U.S. Federal Transit Administration’s Title VI requirements and the regional requirements, specifically to assure nondiscriminatory actions regarding the minorities in the Plymouth community.

This includes investment of transit capital funds in major public facilities that may impact service delivery,

access and mobility, and passenger amenities including transit centers, transit stations, bus shelters and waiting stations, park and ride lots (leased or purchased), transfer and layover facilities, maintenance and storage facilities, transit advantages, and transit ways. Any significant change or impacts will be analyzed for Title VI compliance and reporting and be taken into consideration as part of the proposed capital investment

## Environmental Justice Assessments on Construction Projects

The City of Plymouth follows the policies and standards as outlined in Chapter 6 of the Metropolitan Council’s 2040 Transportation Policy Plan to help prevent discriminatory service designs and operational decisions.

## Transit Provider Requirements – Service Standards

The FTA requires all fixed route transit providers of public transportation to develop quantitative standards and qualitative policies.<sup>20</sup> If a fixed route transit provider operates a fleet of fewer than 50 buses, as is the case with Plymouth Metrolink, then the transit provider is only required to set system-wide standards and policies, and is not required to collect and report demographic data, evaluate service and fare equity changes, nor monitor transit service.<sup>21</sup>

The service standards and policies are required for each specific fixed route mode of service provided, and must address how the service is distributed across the transit system. The FTA lists these effective practices to fulfill the service standard requirements: vehicle load, vehicle headway, on-time performance, service availability, distribution of transit amenities, and vehicle assignment.

There will be no financial impact as a result of adopting these service standards and policies.

## Quantitative Service Standards

### Vehicle Load

Vehicle load is the ratio of passengers to the number of seats on a vehicle, relative to the vehicle’s maximum load point. This value is used to determine whether a bus is overloaded and additional service is needed. The result may be greater than 100% if some standing passengers are acceptable on a particular bus. All Plymouth Metrolink fixed route vehicle loads are peak rush hour, except midday route 795.

All express routes are 40-foot, low-floor buses and 45-foot Motor Coach buses. For purposes of this assessment only, maximum vehicle load calculations are calculated assuming no passengers in wheelchairs are present. On a 45-Foot MCI bus 57 Seat bus, a vehicle load of 1.4 means full and approximately 20 passengers are standing. On a 40-seat bus, a vehicle load of 1.3 means all seats are filled and there are approximately 12 people standing in the bus.

<sup>20</sup> Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d; Federal Transit Administration (FTA) Circular 4702.1.B, October 1, 2012.

<sup>21</sup> Ibid.

Chart 1: Plymouth Metrolink Maximum Allowable Vehicle Loads

Bus-Size	Seating Capacity	Standing Passengers	Maximum Vehicle Loads
45-foot bus	57	12	1.4
40-foot bus	38	20-30	1.3
20-foot bus	10	0	1

Chart 2: Regional Vehicle Load Guidelines for Area III23<sup>22</sup>

Type of Route	Number of Vehicle Seats	Percent of Seats Filled peak Period
Fixed Route	38-57	15%
Click-and-Ride	10 or 20	30%

Regional guidelines are based on the number of seats on the vehicle, measured at the maximum load point of the route. These standards are flexible on the fringe of a peak period. The maximum customer load average is over a 15 minute period on a consistent basis. The vehicle load measured is per trip for each route.

### Vehicle Headways

Vehicle headway is the amount of time between two vehicles traveling in the same direction on a given line or combination of lines. The vehicle headway standard is designed to ensure that passengers have equitable wait times for transit vehicles. Vehicle headways are measured as the amount of time between the departure of two subsequent buses along the same route or service corridor.

Plymouth Metrolink differentiates between two types of fixed route bus service: local shuttle routes provide service within Plymouth to and from park and ride lots during peak periods, while express routes provide service between Plymouth and downtown Minneapolis during peak periods.

Chart 3: Routes by Service Type

Service Type	Route
Fixed Route Express	774,776,777,790, 795
Fixed Route Reverse	747
Local Service	Click and Ride

<sup>22</sup> Metropolitan Council 2030 Transportation Policy Plan, Appendix G, Tables G-10 and G-11

The regional standard is a maximum headway of 30 minutes during peak periods along all fixed routes.<sup>23</sup> Improved headways will be considered along routes in cases where the maximum load factor is exceeded and resources are available to improve service. For example, at Station 73 the headway was reduced to 15 minutes during peak rush hours. All Plymouth Metrolink fixed routes operate during peak rush hours, except two midday routes (774 & 795).

Additional express bus service will be considered along routes with a demonstrated or projected daily ridership that supports at least two round-trips carrying 10 passengers per trip on average when resources are available to improve service. All Plymouth Metrolink routes meet the regional standards of three express trips during rush hour (peak) and 60 minutes minimal frequency on each route during rush hour.<sup>24</sup>

## On Time Performance

The on-time performance standard is designed to ensure that the reliability of transit service is equitable for passengers. On-time performance is measured as the percentage of trips that depart time points within a certain number of minutes of published schedules.

The recommended standard for Plymouth Metrolink bus service is 95%. A bus is considered not on time if it departs a time point more than two (2) minutes earlier than the published time, or three (3) minutes later than the published time, and if the noncompliance is the result of non-rider, non-traffic, and non-weather related occurrences.<sup>25</sup>

## Service Availability

Service Availability is the general measure of the distribution of routes within an agency's service area. The service availability standard is a broadly defined measure of geographic access to transit services. Plymouth Metrolink measures the availability of bus service in a manner that reflects the ability to modify bus service. The City of Plymouth is in Area III, for which there are transit market area service availability standards delineated by the region.<sup>26</sup> Plymouth provides express, and public Click ad Ride service.

Plymouth Metrolink fixed route bus service is provided to Plymouth residents and people who commute to Plymouth on the following basis: The routes are distributed evenly throughout the city of Plymouth in areas that are established and fully developed as residential, industrial, and commercial areas and depend upon access to a major highway, and operational feasibility.

<sup>23</sup> Metropolitan Council 2040 Transportation Policy Plan, Appendix G.

<sup>24</sup> Ibid.

<sup>25</sup> City of Plymouth Transit Maintenance and Operations Agreement, December 2012, App. A, Sec. 14.1, p. 18.

<sup>26</sup> Metropolitan Council 2040 Transportation Policy Plan, Appendix G. 27 Metropolitan Council 2040 Transportation Policy Plan, Appendix G.

## Qualitative Service Practices

### Distribution of Transit Amenities

Installation of transit amenities along bus routes are based on the number of passenger boarding at stops and stations along those routes. Plymouth Metrolink will also consider other amenities along the bus routes and exposure to inclement weather to waiting passengers along the routes. Plymouth Metrolink shuttle/local routes stop along the route in Plymouth when signaled by a waiting rider or a passenger on the bus. Too many stops increase bus travel time, so express buses have specific stops and do not stop until they become local shuttles.

The City of Plymouth is within the regional minimum standards for transit amenities.<sup>27</sup> These include lights, heaters, trash receptacles, and standalone benches at transit centers (Station 73 and The Reserve); lights at park and ride lots (Nathan Lane and St. Philip the Deacon); and lights and heaters at most bus shelters. The trash receptacles are currently provided at all bus shelters, but will be removed from the shelters not associated with park and ride lots to conform to regional standards. Other amenities are provided depending upon the size, location and use of the facility

### Vehicle Assignments

Plymouth Metrolink has peak express and local feeder fixed routes. All Plymouth Metrolink buses are equipped with air conditioning, heaters, automated stop announcement systems, lifts, bicycle racks and route information. All 40-foot buses are low-floor buses. Buses will be assigned to the four quadrants of Plymouth such that the average age of the fleet serving each area does not exceed 12 years. Low-floor, 40-foot buses are deployed on express and feeder routes, so these buses carry a higher share of the overall ridership than the local shuttle buses.

Local shuttle routes with lower ridership may be assigned 20-foot to 30-foot buses rather than the 40-foot buses. Bus assignments take into account the operating characteristics of buses of various lengths, which are matched to the operating characteristics of the route. For safety reasons, any routes requiring tight turns on residential streets are operated with smaller (20-foot to 30-foot) buses rather than the 40-foot buses.

## TITLE VI CERTIFICATION AND ASSURANCES

The City of Plymouth submits an annual Title VI Certification and Assurance to the Metropolitan Council upon request (Appendix B). The City of Plymouth requires a signed Affirmative Action Certification of Compliance Form with all contracts (Appendix B). The City of Plymouth includes Title VI assurance language in contracts (Appendix E). These Title VI assurances must be submitted as part of a standard list of assurances provided by subrecipients to their direct recipient(s).<sup>28</sup> The Metropolitan Council is the recipient of Federal Transit Authority (FTA) funds that are sometimes passed to other transit providers. The City of

<sup>27</sup> Metropolitan Council Transportation Policy Plan, Appendix G, Table G-9 Facility Amenities. <sup>29</sup> Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d; Federal Transit Administration (FTA) Circular 4702.1.B, October 1, 2012. <sup>30</sup> Ibid; and Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 1994.

<sup>28</sup> Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d; Federal Transit Administration (FTA) Circular 4702.1.B, October 1, 2012.

Plymouth recognizes that Title VI and related statutes, as well as the Environmental Justice (EJ) Nondiscrimination Policy impacts all transportation decision making.<sup>29</sup> However, only those departments and divisions having significant Title VI responsibilities are identified below.

Administration Services Department

- City Clerk Division
- Communication Division

Community and Economic Development

- Housing Division

Finance Department

Human Resources Department

Parks and Recreation Department

- Park Maintenance and Forestry Division

Public Safety Department

- Police Department

Public Works Department

- Engineering Division
- Fleet and Facilities Divisions
- Maintenance Divisions
- Transit Division

## PLYMOUTH ADMINISTRATION

The City of Plymouth is classified as a home rule charter city under Minnesota law. A home rule charter city receives its enabling authority through the adoption of a city charter. The Plymouth city charter is the city's constitution, which provides for the type of government and outlines the functions, structure and procedures of city government. The charter was drafted by Plymouth residents and adopted in 1993. The City of Plymouth has a council-manager form of government. The City Council exercises the legislative power of the city, determines matters of policy, sets the direction for the city, and appoints a city manager.

The city manager is responsible to the City Council for the proper administration of city affairs and handles the daily operations. The organizational chart displays the Plymouth organization and the governance affecting the transit program (Appendix F: City of Plymouth Organizational Chart). The city also has a relationship with First Transit, the maintenance and operation contractor for Plymouth Metrolink, and the Metropolitan Council.

<sup>29</sup> Ibid; and Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 1994.

## **Governance**

The Plymouth City Council has seven members who are elected by the residents of Plymouth. The city is divided into four wards of roughly equal population each represented by a council member. Two council members and the mayor serve the city at large. All meetings of the Plymouth City Council and its committees are open to the public. The Plymouth City Council appoints several citizen commissions and committees, to study and advise the City Council on a variety of issues. The City Council makes appointments to boards and commissions each year.

## **DESIGNATION**

### **Responsibility for Title VI Program Implementation**

The Plymouth City Council has overall responsibility for the Title VI program and performs the role of providing policy leadership regarding the implementation of the program.

The Transit Administrator has responsibility for establishing and maintaining a City of Plymouth Title VI program. The Transit Administrator is also the designated Plymouth Title VI Liaison to the Metropolitan Council Title VI Liaison. The Transit Manager communicates through the Public Works Director and the City Manager with the Plymouth City Council and communicates directly with the Metropolitan Council Title VI Liaison regarding Title VI program matters.

### **City Manager and Department Directors**

The City Manager and Directors have the ultimate responsibility for effectively implementing and promoting the Title VI program throughout all departments with a focus on the following:

- Foster awareness of nondiscrimination requirements.
- Participate in the development and implementation of the Title VI Program and Guidelines.
- Identify and prioritize areas of vulnerability and/or need.
- Formulate and prioritize strategies to address areas of vulnerability.
- Develop a Title VI Work Plan.
- Establish program roles and responsibilities.
- Act on the Title VI Program Plan.
- Continuously assess the plan's effectiveness.

The City Manager and Executive Staff are listed below:

- Dave Callister, City Manager
- Maria Solano, Deputy City Manager/Administrative Services Director
- Grant Fernelius, Community & Economic Development Director
- Andrea Rich, Finance Director
- Ali Timpone, Human Resources Director
- Jennifer Tomlinson, Parks and Recreation Director



- Erik Fadden, Public Safety Director/Police Chief
- Rodger Coppa, Deputy Public Safety Director/Fire Chief
- Michael Thompson, Public Works Director

## **Title VI Liaison**

The Transit Administrator shall be appointed and act as Title VI Liaison for the city. The Title VI Liaison shall work on the Title VI Program Plan and Guidelines and play a participatory lead role in the development and implementation of Federal Transit Administration (FTA) Title VI Compliance Program citywide. The Transit Administrator shall consult and cooperate with the Metropolitan Council Title VI Liaison and other Title VI experts and consultants upon occasion.

Transit Administrator as Title VI Liaison shall do the following:

- Provide guidance and technical assistance on Title VI matters and be responsible for the overall program, review required Title VI compliance, develop procedures, and monitor for: Prompt processing and resolution of Title VI complaints Collection of statistical data (race, ethnicity, color or national origin, on participants in, and beneficiaries of the city’s programs, activities and services Identification of discrimination.
- Elimination of discrimination when discrimination is found to exist.
- Prompt resolution in deficient areas.
- Review for compliance with Title VI requirements.
- Ensure Title VI requirements are included in transit policy directives and that the procedures used have built-in safeguards to prevent discrimination.
- Correct Title VI problems or discriminatory practices or policies found when conducting self-monitoring and compliance review activities. Ensure Title VI discrimination complaints are investigated.
- Assure that Title VI information for public dissemination is developed in languages other than English, where appropriate. Refer Title VI discrimination complaints to the Metropolitan Council Director, Equal Opportunity, when appropriate. Consult occasion.

## **Title VI Interdisciplinary Team**

The City of Plymouth Title VI Liaison shall assemble a Title VI Interdisciplinary Team as necessary to provide guidance to the city manager, department directors, transit manager/Title VI liaison, and program personnel and serve as advisors to fully implement the Title VI Program.

This coordinated and cooperative team approach is essential to sufficiently mitigate the effects to adversely impacted communities and to ensure mechanisms are in place to avoid discrimination. The Title VI Interdisciplinary Team would be composed of city staff and at least one representative from First Transit. The process described above with the Metropolitan Council Title VI Liaison and other Title VI experts and consultants and the city attorney upon is reactive in nature and the Transit Administrator is responsible to oversee said team.

To date, the Title VI Interdisciplinary Team has not been assembled as there have been no Title VI complaints received by the city.

## Appendix A

### Plymouth Metrolink Transit Facilities and Amenities

#### Station 73, 10905 Highway 55, Plymouth, MN 55441

Station 73 is a park and ride four-level parking ramp with parking for 288 vehicles. It has outdoor and indoor stairwells and an elevator. The climate controlled lobby has two rest rooms. A bicycle rack is sheltered and located near the outside stairwell.

The bicycle lockers were removed because they were never used. The benches and trash containers are located both inside and outside. Recycling is located inside the lobby. A cigarette container is located in the bus loading area. There are security cameras inside at the outside stairwells, all levels, inside stairwell all levels, bus layover area and entrance and exit to the ramp. The facility is ADA compliant. There is an area for route maps and transit information in the lobby. A locked information board holds transit information.

#### The Reserve Passenger Waiting Station, 5300 Cheshire Lane, Plymouth, MN 55447

The Reserve is a climate controlled building for passenger use only. The building is located in a high-density residential area. The building has two restrooms and is ADA accessible. There is a locked information board with transit information. There are benches, and an area with route maps and transit information for people to take.

#### Bus Shelter Locations

Address or Intersection	Heater	Bench
Lancaster Ln N / Pilgrim Ln N ( on Lancaster)	Y	Y
Lancaster Ln N / Pilgrim Ln N ( on Lancaster)	Y	Y
Lancaster Ln N / 36th Ave N ( on Lancaster)	N	Y
Nathan Ln N / 45th Ave N (on 45th)	Y	Y
17205 County Rd 6, Plymouth, MN 55447	Y	Y
34th Ave N / Harbor Ln ( on 34th Ave)	N	Y
34th Ave N / Harbor Ln ( on Harbor Ln N)	N	Y
Plymouth Blvd/Rockford Rd	N	Y
1405 Xenium Ln N, Plymouth, MN 55441( On Xenium)	N	Y
The Reserve (54th/Annapolis Ln)	N	Y
The Reserve (Annapolis Ln /53rd)	N	Y

# Appendix B

## Certification and Assurances Signed

Certifications and Assurances

Fiscal Year 2021

FTA. The criminal provisions of 18 U.S.C. § 1001 apply to any certification, assurance, or submission made in connection with a federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature  Date: 4/1/2021

Name Chris LaBounty Authorized Representative of Applicant

### AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): City of Plymouth, MN / Plymouth Metrolink

As the undersigned Attorney for the above-named Applicant, I hereby affirm to the Applicant that it has authority under state, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on it.

I further affirm that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA assisted Award.

Signature  Date: 4/1/21

Name Soren Mattick Attorney for Applicant

*Each Applicant for federal assistance to be awarded by FTA must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its electronic signature in lieu of the Attorney's signature within TrAMS, provided the Applicant has on file and uploaded to TrAMS this hard-copy Affirmation, signed by the attorney and dated this federal fiscal year.*

## Appendix C

### Acknowledgement of Receipt of Title VI and Limited English Proficiency Plans

All City of Plymouth Transit Division employees are expected to consider, respect, and observe this Plan in their daily work and duties. If anyone approaches you with a question or a complaint, direct him or her to the Transit Administrator who is the Title VI Manager.

I hereby acknowledge the receipt of the City of Plymouth Title VI Program and the Limited English Proficiency Plan. I have read the plan and am committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1.A, and any subsequent amendments to 49 CFR part 21 and related executive orders and federal circulars.

Your Signature\_\_\_\_\_ Date\_\_\_\_\_

Print your name\_\_\_\_\_

Title\_\_\_\_\_

Print Your Department\_\_\_\_\_ Organization\_\_\_\_\_

# Appendix D

## Title VI Complaint Form

### Complainant Information

\*Name:

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

Address: \_\_\_\_\_

Street Number and Name: \_\_\_\_\_

City: \_\_\_\_\_ State/Province/Region: \_\_\_\_\_ Postal/Zip Code: \_\_\_\_\_

\*Telephone Number: \_\_\_\_\_ Other Phone: \_\_\_\_\_ Ext: \_\_\_\_\_

\*Email Address: \_\_\_\_\_

### Aggrieved Individual (if other than Complainant)

\*Name:

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

Address: \_\_\_\_\_

Street Number and Name: \_\_\_\_\_

City: \_\_\_\_\_ State/Province/Region: \_\_\_\_\_ Postal/Zip Code: \_\_\_\_\_

\*Telephone Number: \_\_\_\_\_ Other Phone: \_\_\_\_\_ Ext: \_\_\_\_\_

\*Email Address: \_\_\_\_\_

## Nature of the Complaint

Which of the following best describes the reason you believe the discrimination took place?

- Race
- Color
- National Origin

\*Date of Occurrence: \_\_\_\_\_

\*Description of Violation:

\*Requested Action of City to Correct Alleged Violation:

## Complaint Continued

\* Have you filed this complaint with another agency or court? (Federal, state or local)

- Yes
- No

## Comments

Additional Comments:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

For questions or to request translation of this document, contact customer service at [transit@plymouthmn.gov](mailto:transit@plymouthmn.gov) or 763-509-5535

## Appendix E

### City of Plymouth Title VI Assurance Contract Language

#### Title VI Assurance Contract Language<sup>30</sup>

The City and the Contractor, as it applies to the Contractor as the operator of the Plymouth Metrolink fleet, will carry out the U.S. Department of Transportation's Title VI regulations (49 CFR part 21) and integrate into the City and Contractor's programs and activities the considerations expressed in the Department's Order on Environmental Justice (Order 5610.2), and Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient ("LEP") Persons (70 FR 74087, December 14, 2005), Title VI and Title VI-Dependent Guidelines for FTA Recipients (C 4702.1A, May 13, 2007), any subsequent amendments to 49 CFR part 21, and related executive orders and federal circulars.

#### Compliance with Laws, Policies, and Regulations<sup>31</sup>

The Contractor shall comply with all of City's resolutions, policies, and ordinances applicable to this Agreement and with any local, state or federal laws or regulations applicable to the services provided under this Agreement.

#### Licenses and Taxes

The Contractor and its subcontractors shall procure and keep current any and all licenses, permits, or certificates which are or may be required by properly constituted authorities for the performance of the service.

#### Nondiscrimination

The proposers must agree to comply with all of the provisions of Minnesota Statutes, Section 181.59, which relate to civil rights and discrimination and all state and federal statutes regarding employment and discrimination. Service shall be provided without regard to race, color, creed, religion, national origin, and without regard to sex, age, disability, public assistance status, or sexual orientation. Proposers must agree to comply with employment practices whereby no applicant for employment or employee hired shall be discriminated against with respect to that person's hire, tenure, compensation, terms, upgrading, conditions, facilities, or privileges of employment by reason of race, color, creed, religion, national origin, age, sex, disability, public assistance status, or sexual orientation, except as may be based upon bona fide occupational qualifications.

<sup>30</sup> City of Plymouth Agreement for the Operation and Maintenance of Plymouth Metrolink Public Transit Services 2011-2016, p. 13.

<sup>31</sup> City of Plymouth Request for Proposals for the Operation and Maintenance of Plymouth Metrolink Public Transit Services, February 15, 2011, pp. 22-23.



## Certificate of Compliance for Public Contracts

Under the provisions of Minnesota Statutes section 473.144, the City may not accept a bid or proposal for over \$100,000 from any business having more than forty (40) full-time employees.

In Minnesota on a single working day during the previous twelve (12) months, unless that business has submitted an affirmative action plan to the Minnesota Commissioner of Human Rights for approval. The City may not execute a contract for over \$100,000 with any business having more than forty (40) full-time employees in Minnesota on a single working day during the previous twelve (12) months, unless that business has an approved affirmative action plan, evidenced by a Certificate of Compliance from the Minnesota Department of Human Rights.

A certificate is valid for 2 years. In addition, for any business which did not have more than forty (40) full-time employees in Minnesota, but which had more than forty (40) full-time employees on a single working day during the previous twelve (12) months in the state in which it has its primary place of business, the City may not execute a contract with such a business unless the business has an approved affirmative action plan, evidenced by a Certificate of Compliance from the Minnesota Department of Human Rights, or the business certifies to the City that the business is in compliance with federal affirmative action requirements.

To ensure compliance with this statute, proposers must submit with their proposal EITHER:

A. A copy of the proposer's currently effective affirmative action Certificate of Compliance issued by the Minnesota Department of Human Rights; or

B. A signed Affirmative Action Certification Statement (Section 14 to the RFP) with information which indicates that the City can accept the proposer's proposal.

Failure to submit one of these documents along with the proposal will result in the proposal being rejected and returned to the proposer as non-responsive. Proposers are advised that the City may verify representations made by a proposer in any Affirmative Action Certification Statement which is submitted.

If a proposer submits an Affirmative Action Plan for approval of the Minnesota Commissioner of Human Rights in order to qualify for acceptance of its proposal by the City and becomes the selected vendor, the City will not execute the contract for services until the Proposer has actually been issued a Certificate of Compliance from the Minnesota Department of Human Rights. The City is under no obligation to delay the award and execution of a contract until a proposer has completed the human rights certification process. It is the sole responsibility of a proposer to apply for and obtain a human rights certificate prior to contract award and execution.

## FTA Regulations<sup>32</sup>

Specific provisions in this contract include, in part certain standard terms and conditions required by USDOT, whether or not expressly set forth in the contract provisions. All contractual provisions required by USDOT, as set forth in 49 CFR section 18.36 and FTA Circular 4220.1D, dated April 15, 1996, are hereby incorporated by reference. Notwithstanding anything to the contrary in this contract, all FTA mandated terms shall be deemed to control in the event of a conflict with other provisions contained in this contract. The contractor shall not perform any act, fail to perform any act, or refuse to comply with any city requests which would cause a local government violation of the FTA terms and conditions.

<sup>32</sup> City of Plymouth Request for Proposals for the Operation and Maintenance of Plymouth Metrolink Public Transit Services, February 15, 2011, pp. 22-2

# Appendix F

## City of Plymouth Organizational Chart



### 2023 Organizational Chart



# Exhibit 1: Affirmative Action Certification of Compliance Form

Proposer Company Name \_\_\_\_\_ Contract # \_\_\_\_\_  
 Project Name: \_\_\_\_\_

(NOTE: If the proposal amount exceeds \$100,000, EITHER this form OR a currently effective affirmative action Certificate of Compliance for the Proposer, issued by the Minnesota Department of Human Rights, MUST be submitted with the proposal.)

**CHECK ONLY ONE BOX!**

<input type="checkbox"/>	<p>1. The business executing this certification <u>did have more than 40</u> full-time employees within the State of Minnesota on one or more working days during the 12 months previous to the date this proposal is due. IN ADDITION, the business either:</p> <p>a. Has submitted an Affirmative Action Plan for the employment of minority persons, women, and qualified disabled individuals to the Commissioner of Human Rights for approval; or</p> <p>b. Has a currently effective Certificate of Compliance from the Commissioner of Human Rights indicating that it has an approved affirmative action plan.</p> <p><b>Note: Prior to execution of any agreement arising out of this procurement, the Proposer will be required to provide the city with a copy of its currently effective Certificate of Compliance.</b></p>
<input type="checkbox"/>	<p>2. The business executing this certification <u>did not have more than 40</u> full-time employees within the State of Minnesota on any working day during the 12 months previous to the date this proposal is due.</p> <p><b>Note: Prior to execution of any agreement arising out of this procurement, the Proposer will be required to provide the city with at least one of the following on a form to be provided by the city:</b></p> <p>a. A certification that the Proposer has a currently effective Certificate of Compliance issued by the Commissioner of Human Rights along with the copy of that document; or</p> <p>b. A certification that the business is in compliance with federal affirmative action requirements; or</p> <p>c. A certification that the business' primary place of business is not in the United States; or</p> <p>d. A certification that the business <u>did not have more than 40</u> full-time employees on any working day during the 12 months prior to the date on which it submitted its proposal, in the state where the business has its primary place of business.</p>

Instructions: If a proposal is in an amount greater than \$100,000, the city cannot accept the proposal unless the Proposer can affirm either Statement #1 or Statement #2 below. The Proposer must select (by checking the appropriate box) and certify as true one of the two statements below, if it is able to do so. In making its certification, the Proposer should carefully bear in mind the post-submittal requirements noted in connection with each statement. After submittal of the proposal the city reserves the right to require documentation from the Proposer supporting the certification or to otherwise verify the accuracy of the certification. If neither statement can be affirmed, no proposal should be submitted.

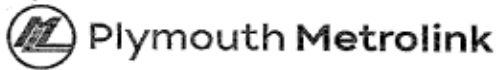
**CERTIFICATION**

On behalf of the Proposer, I certify that the above response is true as of the date this form is signed. I have read and understand the requirements related to this certification statement.

Proposer Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Date: \_\_\_\_\_ Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

# Exhibit 2: Fleet and Equipment Inspection Form



## PLYMOUTH METROLINK BUS INSPECTION REPORT

DATE: 9/21/2022

Unit # 60/60

LOCATION: Cono

	Acceptable	Deficient	Explanation
<b>Brake System</b>			
Front	✓		
Rear	✓		
Park	✓		
Parking Brake	✓		

	Acceptable	Deficient	Explanation
<b>Control Panel</b>			
APC	✓		
AVL & Login	✓		
Brakelights, Tail lights	✓		
Destination Sign	✓		
Directional Signals & Flashers	✓		
Dispatch communication / radio	✓		
Door operation	✓		
Driver alarms	✓		
Emergency exits & alarms	✓		
Fare Box	✓		
Fire extinguisher charge & exp date	✓		
Go - To	✓		
Headlights	✓		
Horn	✓		
Kneel System	✓		
Speaker	✓		
Wheelchair Lift	✓		
Windshield wipers, fluid	✓		

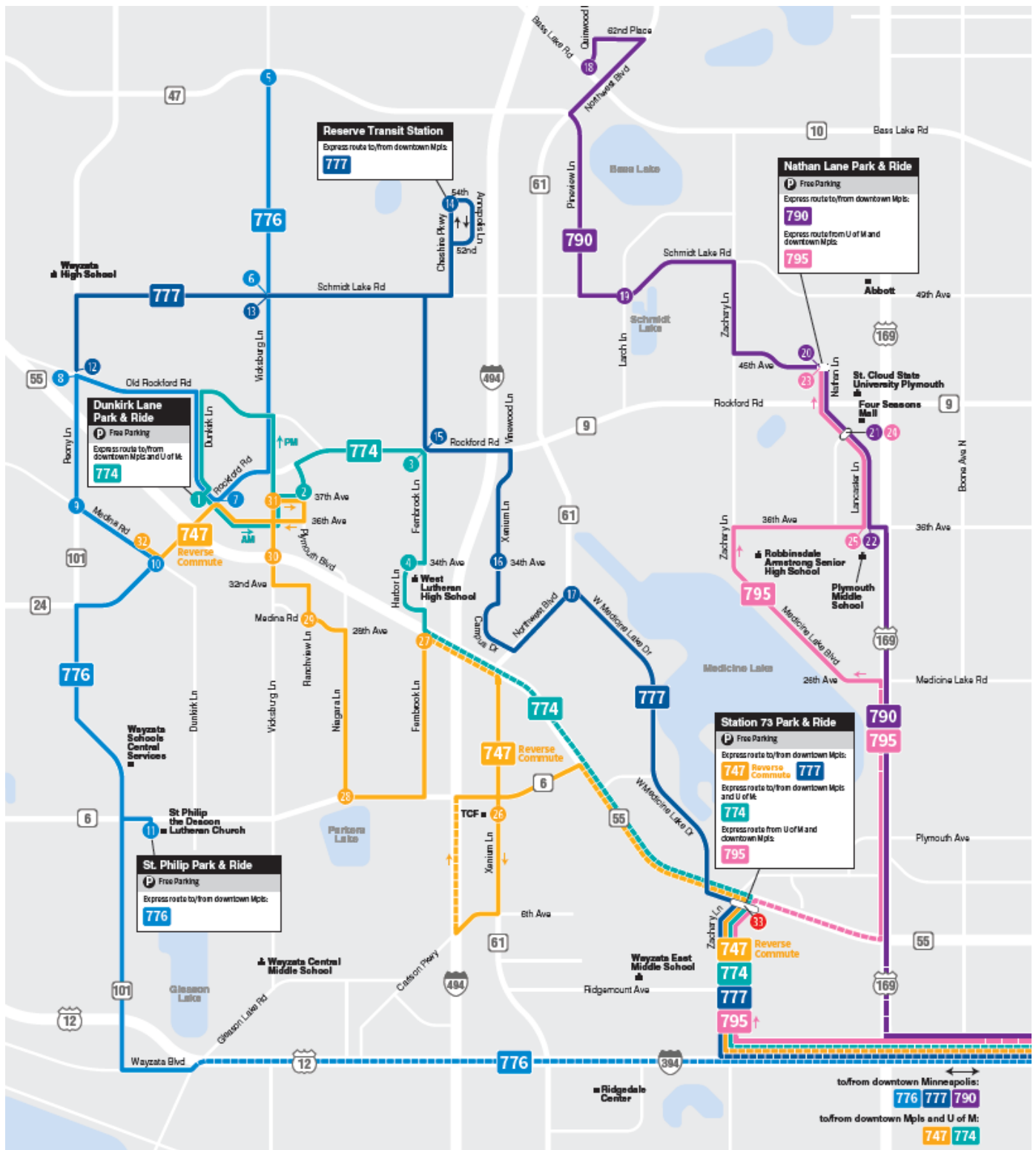
	Acceptable	Deficient	Explanation
<b>Suspension</b>			
Axles	✓		
Bellows	✓		
Miscellaneous	✓		
Rods	✓		
Shocks	✓		
Trail Arms	✓		

	Acceptable	Deficient	Explanation
<b>Steering Unit</b>			
Hydraulics	✓		
Power Unit	✓		
Steer Rods	✓		
Sway Bars	✓		

### Exhibit 3: Plymouth Metrolink Transit Route Summary

Route Number	Type of Service	Origin of Route	Number of Trips East	Number of Trips West	Frequency Per Hr	Station Stop
747	Reverse Regular and Express Commute	Medina Rd & Holly Ln N	10	8	30	73
774	Regular Express Commute	Dunkirk Park and Ride	8	8	30	73
776	Regular Express Commute	Vickburg & Co.Rd 47	5	5	40	
777	Regular Express Commute	Peony Ln & Old Rockford Rd	5	7	30	73
790	Regular Express Commute	Quinwood & Bass Lake Rd	5	5	40	
795	Mid-day Regular Express Commute	Oak St/Delaware St Ne	0	2	120	73

# Exhibit 4: Plymouth Metrolink Transit Route Map



## Exhibit 5: Definitions

**Adverse Effect:** The totality of significant individual or cumulative human health or environmental effects, including interrelated social and economic effects, which may include, but are not limited to bodily impairment, infirmity, illness, or death; air, noise, and water pollution and soil contamination; destruction or disruption of man-made or natural resources; destruction or diminution of aesthetic values; destruction or disruption of community cohesion or a community's economic vitality; destruction or disruption of the availability of public and private facilities and services; vibration; adverse employment effects; displacement of persons, businesses, farms, or non-profit organizations; increased traffic congestion, isolation, exclusion or separation of individuals within a given community or from the broader community; and the denial of, reduction in, or significant delay in the receipt of benefits of DOT programs, policies, or activities.

**Age:** Persons of any age. Age is a protected category under Title VI. Example: A person 21 years old.

**Bus:** For Plymouth's purposes, any motor vehicle designed, constructed or used for the transportation of 9 or more passengers.

**Compliance:** A satisfactory condition existing when a recipient has effectively implemented all of the Title VI requirements or can demonstrate that every good faith effort toward achieving this end has been made.

**Color:** Color of skin, including shade of skin within a racial group, is a protected category under Title VI. Examples: black, white, light brown, dark brown, etc.

**Deficient:** A condition where, after a review of a recipient's or subrecipient's practices, and barring an adequate justification from the recipient or subrecipient, the FTA determines that the entity has not followed specific provisions of the FTA required guidance and procedures (FTA Circular 4702.1C).

**Disability:** A person with a physical or mental impairment, permanent or temporary, or perceived as such. This is a category protected under Title VI. Examples: blind, alcoholic, para-amputee, epileptic, diabetic, arthritic.

**Discrimination:** Any act or inaction, whether intentional or unintentional, in any program or activity of a federal aid recipient, subrecipient, or contractor that results in disparate treatment, disparate impact, or perpetuating the effects of prior discrimination based on race, color, or national origin.

**Disparate Impact:** Neutral policies or practices that have the effect of disproportionately excluding or adversely affecting members of a group protected under Title VI, and the recipient's policy or practice does not have substantive justification.

**Disparate Treatment:** Actions that result in circumstances where similarly situated persons are treated differently (i.e., less favorably) than others because of their race, color, or national origin.



**Disproportionately High and Adverse Effect on Minority and Low-income Populations:** An adverse effect that: 1) Is predominately borne by a minority population and/or a low-income population, or 2) Will be suffered by the minority population and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.

**Environmental Justice Activity:** An action taken by DOT, FTA, or a recipient or subrecipient of FTA funding to identify and address adverse and disproportionate effects of its policies, programs, or activities on minority and/or low-income populations, consistent with Executive Order 12898 and the DOT Order 5610.2 on Environmental Justice.<sup>33</sup>

**Ethnicity:** A Title VI protected group category. Examples: Hispanic and Latino populations, which includes persons of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

**Fixed Guideway:** A public transportation facility using and occupying a separate right-of-way or rail for the exclusive use of public transportation and other high occupancy vehicles, or using a fixed catenary system and a right-of-way usable by other forms of transportation.

**Federal Financial Assistance:** 1) Grants and loans of federal funds; 2) the grant or donation of federal property and interests in property; 3) the detail of federal personnel; 4) the sale and lease of, and the permission to use (on other than a casual or transient basis), federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and 5) Any federal agreement, arrangement, or other contract that has as one of its purposes the provision of assistance.

**FTA:** the Federal Transit Administration, an agency within the United States Department of Transportation.

**FTA Activity:** Any program of assistance authorized by the Federal Transit Laws at 49 U.S.C. Chapter 53 or the Federal Highway Laws of Title 23 United States Code that are administered by the Federal Transit Administration.

**Grantee:** A direct or indirect recipient of federal financial assistance from the FTA.

**iWATCH Program:** A community awareness program created to educate the public about behaviors and activities that may have a connection to criminal activity; a partnership between the community and the

<sup>33</sup> Metropolitan Council, Title VI Compliance and Implementation Plan, 2011, pp. 6-9, 43; U.S. Census Data, [www.census.gov](http://www.census.gov); and [www.metrocouncil.org/data](http://www.metrocouncil.org/data); Federal Transit Administration, [www.fta.gov](http://www.fta.gov); and the City of Plymouth's Plymouth Metrolink.

Plymouth Police Department to be aware, look out for each other, and report behavior and activity that may indicate any type of crime may occur. iWATCH is about behaviors and activities, not about how a person looks.

**Limited English Proficient (LEP) Persons:** Persons for whom English is not a primary language and who have a limited ability to speak, understand, read, or write the English language. This includes people who reported to the U.S. Census that they do not speak English well or do not speak English at all.

**Low-Income:** A person whose median household income is at or below the Department of Health and Human Services' poverty guidelines.

**Low-Income Population:** Any readily identifiable groups of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient persons who will be similarly affected by a proposed DOT program, policy, or activity.

**Minimal Frequency:** The average number of minutes between transit vehicles on a given route or line, moving in the same direction. (See Vehicle Headway.)

**Minority Persons:** The following are included: A) American Indian and Alaska Native, which refers to people having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment. B) Asian, which refers to people having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent. C) Black or African American Populations, which refers to peoples having origins in any of the Black racial groups of Africa. D) Hispanic or Latino Populations, which includes persons of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. E) Native Hawaiian and Other Pacific Islander, which refers to people having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

**Minority Population:** Any readily identifiable group of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient populations who will be similarly affected by a proposed DOT program, policy, or activity.

**National Origin:** The particular nation in which a person was born, or where the person's parents or ancestors were born.

**Noncompliance:** A FTA determination that the recipient or subrecipient has engaged in activities that have had the purpose or effect of denying persons the benefits of, excluding from participation in, or subjecting persons to discrimination in the recipient's program or activity.

bb. On-Time Performance: A measure of runs completed as scheduled.

**Passenger:** A person who is on board, boarding, or alighting from a transit vehicle for the purpose of travel.

**Persons:** Where designation of persons by race, color, or national origin is required, the following designations ordinarily may be used: White not of Hispanic origin, Black not of Hispanic origin, Hispanic, Asian or Pacific Islander, Native American Indian or Alaskan Native. Additional subcategories based on national origin or primary language spoken may be used where appropriate, on either a national or regional basis.

**Predominantly Minority Area:** A geographic area, such as a neighborhood, Census tract, or traffic analysis zone, where the proportion of minority persons residing in that area exceeds the average proportion of minority persons in the recipient's service area.

**Predominantly Low-Income Area:** A geographic area, such as a neighborhood, Census tract, or traffic analysis zone, where the proportion of low-income persons residing in that area exceeds the average proportion of low-income persons in the recipient's service area.

**Race:** An individual belonging to one of the accepted anthropological racial groups; or the perception, based usually on physical characteristics that a person is a member of a racial group. Examples: Black or African American, White (Caucasian), Asian, Native American or Alaskan Native, Asian Indian, Chinese, Filipino, Guamanian or Chamorro, Japanese, Korean, Native Hawaiian, Other Pacific Islander, Samoan, Other Asian, Other Race.

**Recipient:** Any political subdivision, instrumentality, or any public or private agency, institution, department or other organizational unit receiving financial assistance from the FTA.

ii. **Rider:** a person or passenger who is on board, boarding, or alighting from a transit vehicle for the purpose of travel.

**Route Deviation:** A departure from the route's primary street to serve a specific transit generator.

**Service Area:** Either the geographic area in which a transit agency is authorized by its charter to provide service to the public, or the planning area of a state department of transportation or metropolitan planning organization.

**Sex:** Gender is a protected category under Title VI. Examples: women and men.

**Service Availability:** A general measure of the distribution of routes within an agency's service area.

**Service Span:** Number of hours during the day between the start and end of service on a transit route.

**Service Standard or Policy:** An established policy or service performance measure used by a transit provider or other recipient, or subrecipient as a means to plan or distribute services and benefits within its service area.

**Subrecipient:** Any entity that receives FTA financial assistance as a pass-through from another entity.

**TDD:** A Telecommunication for the Deaf Device sometimes referred to as a TTY. A telephone conversation is conducted via relay with the Minnesota Relay Service (person and/or machine) which can translate or communicate the information between the parties.

**Title VI Program or Plan:** A recipient's submission, provided to the FTA or to the subrecipient's direct recipient every three years, containing information in response to the requirements of the FTA Circular 4702.1.

**Transit Hub:** A bus stop location that provides scheduled connections to at least one fixed route local or express bus route, and has passenger amenities.

**Vehicle Headway:** The amount of time between two vehicles traveling in the same direction on a given route or combination of routes. (See Minimal Frequency.)

**Vehicle Load:** Generally expressed as the ratio of passengers to the number of seats on a vehicle, relative to the vehicle's maximum load point. For example, on a 40-seat bus, a vehicle load of 1.3 means all seats are filled and there are approximately 12 standees.

## EXHIBIT 6: AUTHORITIES AND REFERENCES

1. City of Plymouth Agreement for the Operation and Maintenance of Plymouth Metrolink Public Transit Services 2011-2016, December, 2012.
2. City of Plymouth Transit Maintenance and Operations Agreement, December, 2012, Appendix A.
3. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 1994.
4. Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 59 FR 7629, Feb. 11, 1994; EJ Circular 4703.1, August 2012, (as amended).
5. Executive Order 13166, Limited English Proficiency (LEP), August, 2000.
6. Federal Transit Administration, Title VI Overview of C. 4702.1B, November 5, 2012.
7. Federal Transit Laws, as amended, 49 U.S.C., Chapter 53, et seq.
8. Metropolitan Council 2030 Transportation Policy Plan, Appendix G: Regional Transit Standards, November 2010.
9. Metropolitan Council Research 2011, U.S. Census Bureau Data 2011, American Community Survey 5 Yr Summary File 2007-2011, Based on C16004 Age by Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over – Universe: Population 5 Years and Over; Data Set 2007 – 2011 American Community Survey 5 – Year Estimates, [http://stats.metc.state.mn.us/data\\_download/DD\\_Years.aspx?datasource=cen&comms='05302396242'&subjects='LANGATHOME'&level=COCTU](http://stats.metc.state.mn.us/data_download/DD_Years.aspx?datasource=cen&comms='05302396242'&subjects='LANGATHOME'&level=COCTU), September 17, 2013.
10. Metropolitan Council Research, 2012, [www.metrocouncil.org/data](http://www.metrocouncil.org/data).
11. Metropolitan Council, Title VI Compliance and Implementation Plan, 2011.
12. North American Industry Classification System (NAICS) Business Inventory Workbook, November, 2012.
13. Plymouth Metrolink Annual Click-And-Ride Survey, 2017-2019.
14. Plymouth Metrolink Annual Fixed Route Commuter Survey, 2017-2019
15. Quick Reference (FTA) Title VI Circular 4702.1B, October 3, 2012.
16. Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000d; Federal Transit Administration (FTA) Circular 4702.1.B, October 1, 2012.

17. U.S. Census Data 2011, American Community Survey 5 Year Summary File 2007-2011, Metropolitan Council Research 2011, [www.metrocouncil.org/data](http://www.metrocouncil.org/data).

18. U.S. Department of Transportation Federal Transit Administration; Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers; April 13, 2007. 19. U.S. Department of Transportation Federal Transit Administration; Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons: A Handbook for Public Transportation Providers; April 13, 2008. 20. U.S. Department of Transportation FTA Policy Guidance, January 22, 2001. 21. World Media Group, LLC 2013; U.S. Census Bureau Data 2010; American Community Survey 5 Yr Summary File 2006-2010; Based on C16004 Age by Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over – Universe: Population 5 Years and Over; Data Set 2006 – 2010 American Community Survey 5 – Year Estimates; <http://www.usa.com/school-district-2731780-population-and-races.htm>, September 17, 2013.

## Exhibit 7 List of Federal Non-Discrimination Laws under Title VI.

### TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

Title VI of the 1964 Civil Rights Act, Section 60142 U.S.C. §2000d, provides that: No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Prohibits discrimination in impacts, services, and benefits of, access to, participation in, and treatment under federal-aid recipients' programs or activities.

### SECTION 324 FEDERAL-AID HIGHWAY ACT

23 U.S.C. 324 provides that: No person shall on the ground of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any 47 program or activity receiving Federal assistance under this title or carried on under this title.

Prohibits discrimination on the basis of sex.

### SECTION 504 OF THE REHABILITATION ACT OF 1973

Section 504 of the Rehabilitation Act of 1973, provides that: —(N)o qualified handicapped person shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity that receives or benefits from Federal financial assistance.

Prohibits discrimination based on physical or mental handicap.

### AGE DISCRIMINATION ACT OF 1975

The Age Discrimination Act of 1975, 42 U.S.C. §6101, provides that:|(N)o person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Prohibits discrimination based on age.

### CIVIL RIGHTS RESTORATION ACT OF 1987

The Civil Rights Restoration Act of 1987, P.L. 100-209, provides clarification of the original intent of Congress in Title VI of the 1964 Civil Rights Act, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973.

Restores the broad, institution-wide scope and coverage of the non-discrimination statutes to include all programs and activities of federal-aid recipients, sub-recipients and contractors, whether such programs and activities are federally assisted or not.

## EXECUTIVE ORDER 12898 ENVIRONMENTAL JUSTICE

Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 59 FR 7629, Feb. 11, 1994; EJ Circular 4703.1, August 2012, (as amended). Each federal agency, recipient and subrecipient of federal funds shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.

This includes proactive steps to promote enforcement of all health and environmental statutes in areas with minority populations and low-income populations, ensure greater public participation, and improve research and data collection, and identification of patterns and consumption. Section 5-5 of this EO includes the LEP to provide concise, understandable, readily accessible information, documents and hearings to the public, including limited English speaking populations. An EJ transportation analysis will not satisfy Title VI requirements.

Title VI does not include low-income populations. Protects minority and low-income populations against adverse environmental and health effects, and prohibits discrimination based upon low-income and low proficiency English.

## EXECUTIVE ORDER 13166, LIMITED ENGLISH PROFICIENCY

This Executive Order directs Federal agencies, recipients and sub-recipients of Federal financial assistance to examine services they provide, identify any need for services to those with limited English proficiency (LEP), and develop and implement a system to provide services so LEP persons have meaningful access to them. In addition, Federal agencies develop and implement a plan to improve the language-accessibility of their programs by December 11, 2000. NEPA National Environmental Policy Act of 1969, 42 U.S.C 4321 et seq. Federal law that mandates the consideration of environmental impacts before any Federal action likely to significantly affect the environment is undertaken and establishes the Environmental Impact Statement process.



## Exhibit 8: Title VI Metrolink Poster



# Plymouth Metrolink

## YOUR RIGHTS UNDER TITLE VI

### PLEDGE

The City of Plymouth, also known as Plymouth Metrolink, pledges that you will have access to all services and benefits without regard to race, color or national origin.

### PROHIBITS DISCRIMINATION

The City of Plymouth will not tolerate discrimination by its employees or entities it contracts with for products and services.

### GUARANTEED RIGHTS

Certain rights are guaranteed to you under Title VI of the Civil Rights Act of 1964, which says in part: No person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

### HOW TO FILE A COMPLAINT

If you believe that you have been discriminated against in relationship to the City of Plymouth, Plymouth Metrolink, or First Transit because of your race, color or national origin, go online to visit [plymouthmn.gov/CommitmentToFairness](http://plymouthmn.gov/CommitmentToFairness) to file a complaint, or contact:

Plymouth City Clerk  
763-509-5000 (TDD 763-509-5065)  
[administration@plymouthmn.gov](mailto:administration@plymouthmn.gov)

### REQUEST TRANSLATION

For questions or to request translation of this document, contact customer service at [transit@plymouthmn.gov](mailto:transit@plymouthmn.gov) or 763-509-5535.

763-509-5535 | [plymouthmn.gov/metrolink](http://plymouthmn.gov/metrolink)

# Exhibit 9: 2017-2019 Language Spoken at Home Analysis from Annual Rider Survey

Fixed Route			Dial-A Ride		
<b>2017</b>			<b>2017</b>		
<b>Demographics - Primary Language</b>			<b>DEMOGRAPHICS - LANGUAGE</b>		
English	315	92.92%	English	19	95.00%
Hindi	9	2.65%	Russian	1	5.00%
Tamil	4	1.18%	TOTAL	20	100.00%
Spanish	2	0.59%			
Russian	2	0.59%			
Korean	2	0.59%			
Somali	1	0.29%			
Hmong	1	0.29%			
Amharic	1	0.29%			
Telugu	1	0.29%			
Nepali	1	0.29%			
Total Responses	339	100.00%			
<b>2018</b>			<b>2018</b>		
<b>Demographics - Primary Language</b>			<b>DEMOGRAPHICS - LANGUAGE</b>		
English	356	91.05%	English	32	84.21%
Hindi	8	2.05%	Spanish	4	10.53%
Spanish	8	2.05%	Kannada	1	2.63%
Tamil	4	1.02%	Other (none specified)	1	2.63%
Telugu	4	1.02%	TOTAL	38	100.00%
Russian	2	0.51%			
Amharic	1	0.26%			
Finnish	1	0.26%			
French	1	0.26%			
Indian	1	0.26%			
Korean	1	0.26%			
Malayalam	1	0.26%			
Romanian	1	0.26%			
Somali	1	0.26%			
Vietnamese	1	0.26%			
Total Responses	391	100.00%			
<b>2019</b>			<b>2019</b>		
<b>Demographics - Primary Language</b>			<b>DEMOGRAPHICS - LANGUAGE</b>		
English	455	92.29%	English	15	93.75%
Hindi	10	2.03%	Hindi	1	6.25%
Spanish	6	1.22%	TOTAL	16	100.00%
Telugu	6	1.22%			
Tamil	5	1.01%			
Amharic	3	0.61%			
Chinese	2	0.41%			
Russian	2	0.41%			
Hmong	1	0.20%			
Malayalam	1	0.20%			
Vietnamese	1	0.20%			
Romanian	1	0.20%			
Total Responses	493	100.00%			

# Exhibit 10: City Council Resolution

## CITY OF PLYMOUTH

### RESOLUTION No. 2023-075

#### RESOLUTION APPROVING UPDATES TO

#### TITLE VI PROGRAM AND LANGUAGE ASSISTANCE PLAN FOR PLYMOUTH METROLINK

WHEREAS, Plymouth Metrolink is a public transit agency operated by the City of Plymouth; and

WHEREAS, funding is received from the Metropolitan Council to operate the service; and

WHEREAS, as part of the funding requirement, the city must have an approved Title VI Program and Language Assistance Plan for Plymouth Metrolink to comply with the Title VI Civil Rights Act of 1964 and all associated federal laws and requirements.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA that the updated Title VI Program and Language Assistance Plan for Plymouth Metrolink are approved.

APPROVED by the City Council on this 14th day of March, 2023.